UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

SUNSTEEL, LLC
                    Employer

          and   Case 19-RC-261739

IRON WORKERS DISTRICT COUNCIL
OF THE PACIFIC NORTHWEST, AFL-CIO
                    Petitioner

ORDER

     The Employer's Request for Review of the Regional Director's Decision and Direction of Election is denied as it raises no substantial issues warranting review. The Employer's Request for Immediate Stay of the Mail Ballot Election is denied as moot.[1]

                              JOHN F. RING,   CHAIRMAN

                              MARVIN E. KAPLAN,   MEMBER

                              WILLIAM J. EMANUEL,   MEMBER

     Dated, Washington, D.C., August 4, 2020.

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[1]   In denying review, we note that the Board's decision in *San Diego Gas & Electric*, 325 NLRB 1143, 1145 (1998), recognizes that Board elections should, as a general rule, be conducted manually and specifies well-settled guidelines for determining whether a mail-ballot election would normally be appropriate. We agree with the Regional Director that, under normal circumstances, this would almost certainly not be an election where a mail ballot would be considered. But in *San Diego Gas & Electric*, the Board also recognized that "there may be other relevant factors that the Regional Director may consider in making this decision" and that "extraordinary circumstances" could permit a Regional Director to exercise his or her discretion outside of the guidelines set forth in that decision. Id.
     In finding that a mail-ballot election is warranted in this case, we rely on the extraordinary circumstances resulting from the Covid-19 pandemic. The Board will continue to consider whether manual elections should be directed based on the circumstances then prevailing in the region charged with conducting the election, including the applicability to such a determination of the suggested protocols set forth in GC Memorandum 20-10. Under the circumstances presented in this case, however, we are satisfied that the Regional Director did not abuse his discretion in ordering a mail-ballot election here.
     The Board is open to addressing the normal criteria for mail balloting in a future appropriate proceeding.